

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

VIP PHARMACY, INC.

Debtor.

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Chapter 11

Bankruptcy No. 21-10428(ELF)

**APPLICATION OF THE DEBTOR PURSUANT TO 11 U.S.C. §327(a)
FOR AUTHORITY TO EMPLOY OFFIT KURMAN, P.C.
AS COUNSEL FOR THE DEBTOR**

VIP Pharmacy, Inc. (the “Debtor”) submits this application for entry of an order authorizing and approving the employment and retention of Offit Kurman, P.C. (“Offit Kurman”) as counsel for the Debtor and respectfully represents as follows:

1. The Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) on February 23, 2021 (the “Petition Date”).
2. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §157 and §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b). Venue is proper before this Court pursuant to 28 U.S.C. §1408 and §1409.
3. The Debtor is not sufficiently familiar with the rights and duties of a Debtor under the Bankruptcy Code as to be able to plan and conduct proceedings without the aid of competent counsel.
4. The Debtor has engaged the services of Offit Kurman as legal counsel subject to the approval of this Court pursuant to 11 U.S.C. §327.
5. The Debtor respectfully request the entry of an order, pursuant to Section 327(a) of the Bankruptcy Code, authorizing the Debtor to employ and retain Offit Kurman as its attorneys to perform the legal services that will be necessary during this Chapter 11 case.

6. The Debtor seeks to retain Offit Kurman as counsel because of the firm's experience and knowledge in bankruptcy law and related matters and its experience and knowledge practicing before this Honorable Court. Accordingly, the Debtors believe that Offit Kurman is well-qualified to represent it in this case.

7. The professional services that Offit Kurman shall render are necessary to enable the Debtors to execute their duties under the Bankruptcy Code. Subject to further order of this Court, Offit Kurman will render the following professional services:

- a. Providing the Debtor with legal services with respect to its powers and duties as a Debtors-in-Possession;
- b. Preparing on behalf of the Debtor, or assisting the Debtor in preparing, all necessary pleadings, motions, applications, complaints, answers, responses, orders, monthly operating reports, and other legal papers necessary in conjunction with this bankruptcy proceeding;
- c. Representing the Debtor in any matter involving contests with secured or unsecured creditors, including the claims reconciliation process;
- d. Assisting the Debtor in providing legal services required to prepare, negotiate, or implement a plan of reorganization; and
- e. Performing all other legal services for the Debtor which may be necessary herein, other than those requiring specialized expertise for which special counsel, if necessary, may be employed.

8. It is necessary for the Debtor to employ counsel to provide the foregoing legal services.

9. Offit Kurman has stated its desire and willingness to act in these cases and render the necessary professional services as counsel for the Debtor.

10. To the best of the Debtor's knowledge, except as identified in the Verified Statement of Paul J. Winterhalter, Esquire supporting this Application, Offit Kurman does not have any connection with or interest adverse to the Debtor, the Debtor's creditors, any other party-in-interest, or the Office of the United States Trustee, including any attorneys or employees of that office.

11. Offit Kurman represents no interest adverse to the Debtor or its estate in the matters upon which it is to be engaged as attorney for the Debtor.

12. The Debtor, subject to the provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and the local rules and orders of this Court, propose to pay Offit Kurman its customary hourly rates going forward as of the Petition Date, with allowances made for increased billing rates in the ordinary course of the business of Offit Kurman.

13. The Debtor understands that Offit Kurman hereafter intends to apply to the Court for allowances of compensation and reimbursement of expenses in accordance with applicable provisions of the Bankruptcy Code, the Bankruptcy Rules, and the local rules and orders of this Court for all services performed and expenses incurred after the Petition Date.

14. The Debtor believes that the retention and employment of Offit Kurman would be in the best interest of the Debtor, the Debtor's estate, and all parties in interest.

WHEREFORE, the Debtor respectfully requests that it be authorized to employ Offit Kurman to represent it in this case at such compensation as this Court shall allow upon subsequent application and order of this Court.

Respectfully submitted:

VIP PHARMACY, INC.

By: Kaushal v. Patel
Kaushal Patel, President

Dated: 2/23/21